

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 1663

IN THE MATTER OF:

Served March 18, 1977

Application of ATWOOD'S TRANSPORT)
LINES, INC., for Temporary Authority)
to Conduct Charter Operations -)
Dulles International Airport)

Application No. 982

By application filed February 18, 1977, Atwood's Transport Lines, Inc. (Atwood's), seeks temporary authority to transport passengers, over irregular routes, in charter operations, between Dulles International Airport (Dulles) and points in the Metropolitan District. Service would be performed in over-the-road motor coaches at the rate of \$80 per one-way transfer.

By Order No. 1656, served March 8, 1977, the application was denied primarily because applicant had failed to establish that there is no carrier service available to meet the need said to exist for Atwood's service. Said order is incorporated by reference herein.

On March 16, 1977, Atwood's filed an application (petition) for reconsideration of Order No. 1656, and request for expedited action thereon. Atwood's acknowledges that Order No. 1656 was appropriate in light of the evidence of record and applicable law. It relies, however, on supplemental evidence in the form of a list of charter movements booked with Atwood's for the period January 1, 1977, through April 24, 1977, and verified statements from the chief operating officers of The Gray Line, Inc. (Gray Line) and Greyhound Airport Service, Inc. (Greyhound). The two carriers are the only carriers with certificated authority to provide the type of service for which Atwood's seeks temporary authority.

Atwood's list of charter bookings shows that requests for service often involve commitments of between 5 and 14 buses a day. While on some occasions, only one or two buses may be required, 60 percent of Atwood's bookings require 5 buses or more. Gray Line and Greyhound state that they cannot handle such large moves with existing equipment and drivers, many of whom are precommitted to the carriers' regular business, and that they now realize that a lease of both vehicle and driver from Atwood's, as originally contemplated, would be unlawful.

Under these circumstances, the Commission finds on reconsideration that applicant has met its statutory burden of proof and that the application

for reconsideration should be granted to the extent set forth below. This grant of authority neither raises a presumption as to Atwood's fitness in any other proceeding nor implies that corresponding permanent authority will be granted.

THEREFORE, IT IS ORDERED:

1. That Application No. 982 and the application for reconsideration of Order No. 1656, be, and they are hereby, granted to the extent set forth below:

IRREGULAR ROUTE:

CHARTER OPERATIONS, transporting passengers having a prior or subsequent movement by air, (1) from Dulles International Airport, Chantilly, Virginia, to points in the Metropolitan District, (2) from points in the Metropolitan District (except the District of Columbia) to Dulles International Airport, Chantilly, Virginia


RESTRICTED against the transportation of passengers solely between two points in Virginia.

2. That, except to the extent granted herein, the said applications of Atwood's Transport Lines, Inc., be, and they are hereby, denied.

3. That Atwood's Transport Lines, Inc., be, and it is hereby, directed to file an appropriate WMATC Temporary Authority Tariff for the service authorized herein.

4. That the authority granted herein shall become effective March 18, 1977, and shall remain in effect through September 13, 1977, unless otherwise ordered by the Commission.

BY DIRECTION OF THE COMMISSION:


WILLIAM H. MCGILVERAY
Executive Director

STRATTON, Chairman, not participating.